

## **REMARKS/ARGUMENTS**

### **I. Status of Claims**

Claims 1-20 are pending. Claims 1-20 have been amended. It is respectfully submitted that the amendments are fully supported by the disclosure as originally filed and that no new matter has been introduced.

Claims 1-16 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Pub. 2004/0103282 A1 ("Meier et al.").

Claims 17-20 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Meier et al. in view of U.S. Pub. 2002/0080741 A1 ("Toyoshima").

These rejections are respectfully traversed and reconsideration is respectfully requested.

### **II. Claim Rejections under 35 U.S.C. §102(e)**

In the subject office action, claims 1-16 were rejected as being anticipated by Meier et al.

Applicant has amended claim 1 to make it clear that, in response to a probe request, an access point nonce is transmitted by an access point. It is respectfully submitted that Meier et al. do not disclose such a feature. In contrast, Meier et al. discloses transmitting a key nonce from a subnet context manager to an access point, which forwards the key nonce to the user station (see Figure 8, arrows 17 and 18). Meier et al. do not disclose or suggest transmitting, by an access point, an access point nonce. Accordingly, it is respectfully submitted that Claim 1 is patentable over Meier et al. since Meier et al. fails to teach at least this feature of claim 1.

Claims 2-4 depend, either directly or indirectly, on Claim 1 and therefore, they are also patentable over Meier et al. for at least the reasons Claim 1 is patentable over Meier et al.

Applicant has amended claim 5 to make it clear that an access point nonce is received by a user station in response to a probe request transmitted by the user station. It is respectfully submitted that Meier et al. do not disclose such a feature. In

contrast, as noted above, Meier et al. discloses transmitting a key nonce from a subnet context manager to an access point, which forwards the key nonce to the user station (see Figure 8, arrows 17 and 18). Thus, Meier et al. do not disclose or suggest receiving, by a user station, an access point nonce from an access point. Accordingly, it is respectfully submitted that Claim 5 is patentable over Meier et al. since Meier et al. fails to teach at least this feature of claim 5.

Claims 6-8 depend, either directly or indirectly, on Claim 5 and therefore, they are also patentable over Meier et al. for at least the reasons Claim 5 is patentable over Meier et al.

Claim 9 is directed to an article of manufacture that comprises a storage medium having stored thereon instructions that, when executed by a computing platform, result in an authenticated key exchange, by, in response to a probe request, an access point nonce being transmitted by an access point. It is respectfully submitted that Meier et al. do not disclose such a feature. In contrast, Meier et al. discloses transmitting a key nonce from a subnet context manager to an access point, which forwards the key nonce to the user station (see Figure 8, arrows 17 and 18). Meier et al. do not disclose or suggest transmitting, by an access point, an access point nonce. Accordingly, it is respectfully submitted that Claim 9 is patentable over Meier et al. since Meier et al. fails to teach at least this feature of claim 9.

Claims 10-12 depend, either directly or indirectly, on Claim 9 and therefore, they are also patentable over Meier et al. for at least the reasons Claim 9 is patentable over Meier et al.

Claim 13 is directed to an article of manufacture that comprises a storage medium having stored thereon instructions that, when executed by a computing platform, result in an authenticated key exchange, by, an access point nonce being received by a user station in response to a probe request transmitted by the user station. It is respectfully submitted that Meier et al. do not disclose such a feature. In contrast, as noted above, Meier et al. discloses transmitting a key nonce from a subnet context manager to an access point, which forwards the key nonce to the user station (see Figure 8, arrows 17 and 18). Thus, Meier et al. do not disclose or suggest

receiving, by a user station, an access point nonce from an access point. Accordingly, it is respectfully submitted that Claim 13 is patentable over Meier et al. since Meier et al. fails to teach at least this feature of claim 13.

Claims 14-16 depend, either directly or indirectly, on Claim 13 and therefore, they are also patentable over Meier et al. for at least the reasons Claim 13 is patentable over Meier et al.

### **III. Claim Rejections under 35 U.S.C. §103(a)**

In the subject office action, claims 17-20 were rejected as being unpatentable over Meier et al. in view of Toyoshima.

Claim 17 is directed to an apparatus that includes, among other things, a baseband processor to generate a probe request to be transmitted to an access point, and to receive an access point nonce transmitted in response to the probe request. As discussed above, it is respectfully submitted that Meier et al. do not disclose such a feature. In contrast, as noted above, Meier et al. discloses transmitting a key nonce from a subnet context manager to an access point, which forwards the key nonce to the user station (see Figure 8, arrows 17 and 18). Thus, Meier et al. do not disclose or suggest receiving, by a baseband processor, an access point nonce from an access point. It is respectfully submitted that Toyoshima does not make up for the deficiencies of Meier et al. Accordingly, it is respectfully submitted that Claim 13 is patentable over Meier et al. since Meier et al. and Toyoshima, either alone or in combination, fail to teach at least this feature of claim 17.

Claims 18-20 depend, either directly or indirectly, on Claim 17 and therefore, they are also patentable over Meier et al. and Toyoshima for at least the reasons Claim 17 is patentable over Meier et al. and Toyoshima.

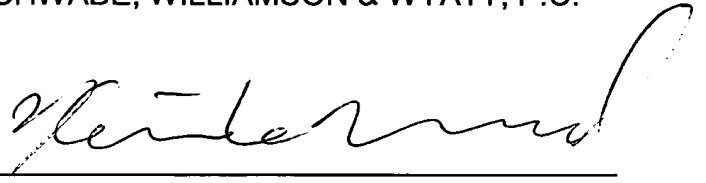
### **IV. Conclusion**

In view of the foregoing, Applicants submit all pending claims, specifically, claims 1-26, are in condition for allowance. The Examiner is invited to call the undersigned at

(503) 796-2997 regarding any inquiry concerning this communication. Issuance of a Notice of Allowance is respectfully requested.

The Commissioner is hereby authorized to charge shortages or credit overpayments to Deposit Account No. 500393.

Respectfully submitted,  
SCHWABE, WILLIAMSON & WYATT, P.C.

A handwritten signature in black ink, appearing to read "Kevin T. LeMond", is written over a horizontal line.

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